

**2003 DRAFTING REQUEST****Bill**Received: **02/17/2003**Received By: **rnelson2**Wanted: **As time permits**

Identical to LRB:

For: **Mark Pettis (608) 267-2365**

By/Representing:

This file may be shown to any legislator: **NO**Drafter: **mlief**

May Contact:

Addl. Drafters:

Subject: **Courts - costs and fees**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Pettis@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Fine and forfeiture collections

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**Instructions:**

Give counties some of money collected as incentive and require them to have staff dedicated to collections, who can work for more than one county. Will call back with additional instructions.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rnelson2 03/14/2003						S&L
/1	mlief 03/14/2003 rnelson2	csicilia 03/17/2003 kgilfoy	jfrantze 03/17/2003 jfrantze		lemery 03/17/2003	sbasford 03/20/2003 sbasford	S&L

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	03/17/2003	03/17/2003	03/17/2003	_____		03/20/2003	
/2	mlief 04/29/2003	kgilfoy 04/29/2003	pgreensl 04/29/2003 rschluet 04/29/2003	_____ _____ _____ _____	mbarman 04/29/2003 lemery 04/29/2003	lemery 04/29/2003	

FE Sent For: 03/19/2003.

1/1" <sup>↑</sup>  
1/2" At intro.

<END>

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/1	mlief 03/14/2003 rnelson2	<del>caicilia</del> 03/17/2003 kgilfoy 12-4/29 Kmg	jfrantze 03/17/2003 jfrantze		lemery 03/17/2003	sbasford 03/20/2003 sbasford	

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03/20/2003 08:47:12 AM

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	03/17/2003	03/17/2003	03/17/2003	_____		03/20/2003	

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&lt;END&gt;

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	03/17/2003	03/17/2003	03/17/2003	_____			

FE Sent For:

<END>

/1  
3/19/03  
AL

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Extra Copies: MES

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**Topic:**

Fine and forfeiture collections

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Give counties some of money collected as incentive and require them to have staff dedicated to collections, who can work for more than one county. Will call back with additional instructions.

*fine or forfeiture*  
*collected w/ 120 days*  
*if not*

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1?	rnelson2 03/14/2003 mlief	1-3/17 Kmg	3/17	to cph 3/17			

FE Sent For:

&lt;END&gt;



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-2069/1

msc King

2003 BILL

1

AN ACT <sup>Gen. Cat.</sup> relating to: collection of fines and forfeitures by counties.

*Analysis by the Legislative Reference Bureau*

<sup>violating</sup>  
<sup>FE State & local</sup> Under current law, if a circuit court imposes a fine or forfeiture on a person for violation of a state law or local ordinance, the clerk of circuit court collects the amount owed and pays that amount to the county treasurer. The county treasurer, in turn, pays 90% of the fine and forfeiture money to the state, but is permitted to retain 10% of the money as administrative fees.

This bill ~~provides~~ allows the county to retain 25% of fines and forfeitures that are not collected within 120 days of being imposed, if the county employs collection staff who work for more than one county.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2 SECTION 1. 59.25 (3) (j) of the statutes is amended to read:

3 59.25 (3) (j) Retain 10% for fees in receiving and paying into the state treasury

4 all money received by the treasurer for the state for fines and penalties forfeitures,

5 ~~except that~~ but retain 50% of the state forfeitures, and fines and penalties under chs.

6 341 to 347, 349 and 351 ~~shall be retained as fees~~ and retain 25% of the state



**BILL****SECTION 1**

1 forfeitures and fines that are not collected within 120 days of being imposed as fees  
2 if the county employs collection staff who work for more than one county, and retain  
3 the other fees for receiving and paying money into the state treasury that are  
4 prescribed by law.

History: 1995 a. 201 ss. 266, 267, 269, 270, 284; 1995 a. 225 ss. 151 to 153; 1995 a. 227 s. 202; 1995 a. 269 s. 2; 1995 a. 408 s. 1; 1995 a. 448 s. 60; 1997 a. 27, 35, 135, 211, 237, 248; 1999 a. 9, 32, 74; 1999 a. 150 s. 672; 2001 a. 16; 2001 a. 30 s. 108; 2001 a. 56, 105.

**SECTION 2. Initial applicability.**

6 (1) This act first applies to fines and forfeitures imposed on the effective date  
7 of this subsection.

**SECTION 3. Effective date.**

9 (1) This act takes effect on the first day of the 4th month beginning after  
10 publication.

11 (END)

**Basford, Sarah**

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**From:** Pettis, Mark  
**Sent:** Thursday, March 20, 2003 8:36 AM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 03-2069/1 Topic: Fine and forfeiture collections

It has been requested by <Pettis, Mark> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 03-2069/1 Topic: Fine and forfeiture collections

4/29 TC w / M Rep Peltus

LRB-2069

- Change 3 to 403
- Wants to sunset at end of term, even though, as I pointed out, bill has delayed off date.



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-2069/v<sup>2</sup>  
MJL:kmg:jf

2003 BILL

RMR

1 AN ACT to amend 59.25 (3) (j) of the statutes; relating to: collection of fines and  
2 forfeitures by counties

Gen. Cat.  
Until June 30, 2005,

*Analysis by the Legislative Reference Bureau*

X Under current law, if a circuit court imposes a fine or forfeiture on a person for violating a state law ~~or local ordinance~~, the clerk of circuit court collects the amount owed and pays that amount to the county treasurer. The county treasurer, in turn, pays 90% of the fine and forfeiture money to the state, but is permitted to retain 10% of the money as administrative fees.

X This bill allows the county to retain <sup>40</sup>~~25~~% of fines and forfeitures that are not collected within 120 days of being imposed if the county employs collection staff who work for more than one county.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

✓  
*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3 SECTION 1. 59.25 (3) (j) of the statutes is amended to read:  
4 59.25 (3) (j) Retain 10% for fees in receiving and paying into the state treasury  
5 all money received by the treasurer for the state for fines and penalties, except that

**BILL**

1 ~~forfeitures, but retain 50% of the state forfeitures, and fines and penalties under chs.~~  
2 ~~341 to 347, 349 and 351 shall be retained as fees and retain 25% of the state~~  
3 ~~forfeitures and fines that are not collected within 120 days of being imposed as fees~~  
4 ~~if the county employs collection staff who work for more than one county, and retain~~  
5 ~~the other fees for receiving and paying money into the state treasury that are~~  
6 ~~prescribed by law.~~

7 **SECTION 2. Initial applicability.**

8 (1) This act first applies to fines and forfeitures imposed on the effective date  
9 of this subsection.

10 **SECTION 3. Effective date.**

11 (1) This act takes effect on the first day of the 4th month beginning after  
12 publication.

13 (END)

→ Sec #. Nonstatutory provisions.

¶ (#) Notwithstanding section 59.25(3)(j) of the  
statutes, until June 30, 2005, the county treasurer  
shall retain 40% of the state forfeitures  
and fines that are not collected within 120  
days of being imposed as fees if the  
county employs collection staff who work  
for more than one county.

## Emery, Lynn

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**From:** Emery, Lynn  
**Sent:** Monday, May 05, 2003 4:18 PM  
**To:** Rep.Pettis  
**Subject:** LRB-2069/2 (attached as requested)



03-2069/2

Lynn Emery  
Program Assistant  
Legislative Reference Bureau  
608-266-3561  
lynn.emery@legis.state.wi.us